



Docket Report

FILE DATE: 10/06/2011
CASE TRACK: C - Most Complex
CASE STATUS: Closed
STATUS DATE: 05/16/2014
CASE SESSION: Criminal 1

DCM TRACK

Tickler Description	Due Date	Completion Date
Pre-Trial Hearing	08/16/2012	05/19/2014
Final Pre-Trial Conference	09/22/2012	05/19/2014
Case Disposition	10/06/2012	05/19/2014

PARTIES

Prosecutor Commonwealth	Attorney for the Commonwealth David F Capeless Massachusetts Bar 38 West Center Rd West Stockbridge, MA 01266 Work Phone (413) 447-5530 Added Date: 10/06/2011	072570
	Attorney Joseph A Pieropan Massachusetts Bar 551 Tamarack Rd Pittsfield, MA 01201 Work Phone (413) 822-6234 Added Date: 10/24/2019	550420
Defendant Chalue, David T 892 Beacon Circle Springfield, MA 01119	Appointed - Indigent Defendant Andrew Scott Crouch Law Office of Andrew S. Crouch Law Office of Andrew S. Crouch 22 Putnam Ave Cambridge, MA 02139 Work Phone (617) 441-5111 Added Date: 03/01/2016	648496
Other interested party Alessio, Peter C. Martin, Oliveira & Hamel, PC 75 South Church St., Suite 550 Pittsfield, MA 01201		
Other interested party Berkshire County Sheriff's Office		



BERKSHIRE COUNTY

Docket Report

Other interested party

Koufman, Victor J.
Koufman & Frederick
265 Essex St. Ste 301
Salem, MA 01970

Other interested party

Koufman, Esq., Victor J.
Koufman & Frederick
265 Essex St., Suite 301
Salem, MA 01970

Other interested party

Poole Esq., C. Raye
Dept. of Corrections Legal Div.
70 Franklin St., Ste 600
Boston, MA 02210

Other interested party

Puddister, Esq., George
Koufman & Frederick
265 Essex St., Suite 301
Salem, MA 01970



**BERKSHIRE COUNTY
Docket Report**

PARTY CHARGES

#	Offense Date/ Charge	Code	Town	Disposition	Disposition Date
1	08/28/2011 MURDER c265 §1	265/1-0		Nolle Prosequi	12/21/2012
2	08/28/2011 MURDER c265 §1	265/1-0		Nolle Prosequi	12/21/2012
3	08/28/2011 MURDER c265 §1	265/1-0		Nolle Prosequi	12/21/2012
4	08/28/2011 KIDNAPPING c265 §26	265/26/A-2		Nolle Prosequi	12/21/2012
5	08/28/2011 KIDNAPPING c265 §26	265/26/A-2		Nolle Prosequi	12/21/2012
6	08/28/2011 KIDNAPPING c265 §26	265/26/A-2		Nolle Prosequi	12/21/2012
7	08/28/2011 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B	268/13B/A-4		Nolle Prosequi	12/21/2012
8	08/28/2011 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B	268/13B/A-4		Nolle Prosequi	12/21/2012
9	08/28/2011 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B	268/13B/A-4		Nolle Prosequi	12/21/2012
10	08/28/2011 MURDER c265 §1	265/1-0			
11	08/28/2011 MURDER c265 §1	265/1-0			
12	08/28/2011 MURDER c265 §1	265/1-0			
13	08/28/2011 KIDNAPPING c265 §26	265/26/A-2			
14	08/28/2011 KIDNAPPING c265 §26	265/26/A-2			
15	08/28/2011 KIDNAPPING c265 §26	265/26/A-2			
16	08/28/2011 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B	268/13B/A-4			
17	08/28/2011 WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B	268/13B/A-4			



BERKSHIRE COUNTY
Docket Report

18	08/28/2011	268/13B/A-4	WITNESS/JUROR/POLICE/COURT OFFICIAL, INTIMIDATE c268 §13B
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**BERKSHIRE COUNTY
Docket Report**

EVENTS				
Date	Session	Event	Result	Resulting Judge
10/12/2011	Criminal 1	Arraignment	Held as Scheduled	
12/16/2011	Criminal 1	Status Review	Not Held	
01/23/2012	Criminal 1	Status Review	Held as Scheduled	
01/25/2012	Criminal 1	Pre-Trial Conference	Rescheduled	
01/25/2012	Criminal 1	Status Review	Rescheduled	
02/22/2012	Criminal 1	Hearing RE: Discovery Motion(s)	Canceled	
03/07/2012	Criminal 1	Status Review	Held as Scheduled	
03/07/2012	Criminal 1	Hearing	Held as Scheduled	
03/07/2012	Criminal 1	Hearing	Held as Scheduled	
03/27/2012	Criminal 1	Hearing	Held as Scheduled	
03/28/2012	Criminal 1	Pre-Trial Hearing	Canceled	
05/09/2012	Criminal 1	Status Review	Held as Scheduled	
06/27/2012	Criminal 1	Status Review	Held as Scheduled	
07/12/2012	Criminal 1	Hearing	Held as Scheduled	
08/16/2012	Criminal 1	Hearing	Canceled	
08/16/2012	Criminal 1	Arraignment	Held as Scheduled	
09/20/2012	Criminal 1	Hearing	Held as Scheduled	
10/16/2012	Criminal 1	Status Review	Rescheduled	
10/16/2012	Criminal 1	Status Review	Held as Scheduled	
12/10/2012	Criminal 1	Status Review	Rescheduled	
12/21/2012	Criminal 1	Status Review	Held as Scheduled	
01/31/2013	Criminal 1	Status Review	Held as Scheduled	
04/22/2013	Criminal 1	Hearing	Held as Scheduled	
05/22/2013	Criminal 1	Hearing	Held as Scheduled	
05/31/2013	Criminal 1	Hearing	Held as Scheduled	
06/03/2013	Criminal 1	Status Review	Held as Scheduled	
09/20/2013	Criminal 1	Status Review	Held as Scheduled	
10/11/2013	Criminal 1	Evidentiary Hearing on Suppression	Held as Scheduled	
10/28/2013	Criminal 1	Evidentiary Hearing on Suppression	Held as Scheduled	
11/21/2013	Criminal 1	Evidentiary Hearing on Suppression	Held as Scheduled	



**BERKSHIRE COUNTY
Docket Report**

12/20/2013	Criminal 1	Final Pre-Trial Conference	Not Held
12/27/2013	Criminal 1	Status Review	Not Held
01/03/2014	Criminal 1	Hearing on Motion(s) in Limine	Not Held
01/03/2014	Criminal 1	Hearing	Not Held
01/06/2014	Criminal 1	Jury Trial	Not Held
01/24/2014	Criminal 1	Hearing	Held as Scheduled
01/24/2014	Criminal 1	Hearing	Held as Scheduled
01/30/2014	Criminal 1	Final Pre-Trial Conference	Not Held
02/13/2014	Criminal 1	Final Pre-Trial Conference	Rescheduled
02/24/2014	Criminal 1	Final Pre-Trial Conference	Held as Scheduled
03/28/2014	Criminal 1	Status Review	
04/11/2014	Criminal 1	Hearing on Motion(s) in Limine	Held as Scheduled
04/14/2014	Criminal 1	Hearing	Held as Scheduled
04/15/2014	Criminal 1	Jury Trial	Not Held
04/22/2014	Criminal 1	Jury Trial	Held as Scheduled
04/23/2014	Criminal 1	Jury Trial	Held as Scheduled
04/25/2014	Criminal 1	Jury Trial	Held as Scheduled
04/28/2014	Criminal 1	Jury Trial	Held as Scheduled
04/29/2014	Criminal 1	Jury Trial	Held as Scheduled
04/30/2014	Criminal 1	Jury Trial	Held as Scheduled
05/01/2014	Criminal 1	Jury Trial	Held as Scheduled
05/05/2014	Criminal 1	Jury Trial	Held as Scheduled
05/06/2014	Criminal 1	Jury Trial	Held as Scheduled
05/07/2014	Criminal 1	Jury Trial	Held as Scheduled
05/08/2014	Criminal 1	Jury Trial	Held as Scheduled
05/09/2014	Criminal 1	Jury Trial	Held as Scheduled
05/12/2014	Criminal 1	Jury Trial	Held as Scheduled
05/13/2014	Criminal 1	Jury Trial	Held as Scheduled
05/14/2014	Criminal 1	Jury Trial	Held as Scheduled
05/15/2014	Criminal 1	Jury Trial	Held as Scheduled
05/16/2014	Criminal 1	Jury Trial	Held as Scheduled
05/19/2014	Criminal 1	Hearing for Sentence Imposition	Held as Scheduled

FINANCIAL SUMMARY

	Fees/Fines/Costs/Charge	Assessed	Paid	Dismissed	Balance
Total		150.00	0.00	0.00	150.00



**BERKSHIRE COUNTY
Docket Report**

INFORMATIONAL DOCKET ENTRIES			
Date	Ref	Description	Judge
10/06/2011	1	Indictment returned	
10/06/2011	2	Order of notice to prisoner of finding of indictment and entry on docket entered. (service by delivering in hand to David T. Chalue at 467 Cheshire Rd. c/o BCHC Pittsfield MA 01201 on 10/12/11) (as to #11 140-1)	
10/06/2011	3	Order of notice to prisoner of finding of indictment and entry of docket entered. (service by delivering in hand to David T. Chalue at 467 Cheshire Rd., c/o BCHC Pittsfield MA 01201 on 10/12/11) (as to #11 140-2)	
10/06/2011	4	Order of notice to prisoner of finding of indictment and entry on docket entered. (Service by delivering in hand to David T. Chalue at 467 Cheshire Rd. c/o BCHC Pittsfield MA 01201 on 10/12/11) (as to # 11 140-3)	
10/07/2011		Habeas corpus for Deft at Berkshire County House of Correction on Wednesday, October 12, 2001 at 9:00 a.m.	
10/07/2011		Summons for arraignment issued ret Wednesday, October 12, 2011 at 9:00 a.m.	
10/07/2011		Order of notice to prisoner of finding of indictment and entry on docket to Murder, Ch. 265, Sec. 1 on Indictment Nos. 2001-140-1, 2 & 3, issued in hand to deputy sheriff.	
10/12/2011	5	Notice of appearance of Leonard Cohen for the defendant filed. (assigned)	
10/12/2011		Deft arraigned before Court	
10/12/2011		Assigned to track "C" see scheduling order	
10/12/2011		Tracking deadlines Active since return date	
10/12/2011		RE Offense 1:Plea of not guilty - Defendant ordered held without bail and without prejudice. (Agostini J.) Defendant warned per C. 276 S. 58. \$150.00 LCF assessed.	
10/12/2011		RE Offense 2:Plea of not guilty	
10/12/2011		RE Offense 3:Plea of not guilty	
10/12/2011		RE Offense 4:Plea of not guilty	
10/12/2011		RE Offense 5:Plea of not guilty	
10/12/2011		RE Offense 6:Plea of not guilty	
10/12/2011		RE Offense 7:Plea of not guilty	
10/12/2011		RE Offense 8:Plea of not guilty	
10/12/2011		RE Offense 9:Plea of not guilty	
10/12/2011		Notice of unpaid counsel fees sent to Dept of Revenue and Registry of MV on 10/12/2011	



BERKSHIRE COUNTY

Docket Report

10/12/2011		Mittimus for failure to recognize issued to Berkshire House of Correction (Pittsfield)
10/13/2011	6	Summons returned and filed. (service by delivering in hand to David T. Chalue at 467 Cheshire Rd. c/o BCHC Pittsfield MA 01201 on 10/12/11) (as to #11 140-4 thru 9)
11/09/2011	7	Defendant's motion for funds for investigator filed.
11/09/2011	8	Affidavit in support of motion for funds for private investigator filed.
11/09/2011		Defendant's motion for funds for investigator Allowed (Agostini, J.).
11/17/2011	9	Habe: returned w/service
11/17/2011	10	Habe: returned w/service
01/09/2012		Letter received from Atty. Cohen indicating that all counsel request an attorney's only status on 1/23 to amend scheduling order
01/23/2012	11	Commonwealth's supplemental certificate of compliance filed.
01/23/2012	12	Commonwealth's motion to compel taking of buccal cell and hair samples filed.
01/23/2012	13	Commonwealth's motion for order for exhaustive testing filed.
01/23/2012	14	Affidavit of David F. Capeless filed.
01/23/2012	15	Commonwealth's memorandum in support of motion for exhaustive testing filed.
01/23/2012		Status held with attorneys, Further status and hearing on motion for buccal cell samples set for Wed, 3/7/12 at 2:00 pm (Ford J.)
01/23/2012		Notice sent on 1/24/2012 for further status and motion on 3/7/12 at 2:00 pm
02/14/2012	16	Commonwealth's motion for protective order regarding discovery materials filed.
03/06/2012	17	Defendant David T. Chalue's Opposition to the Commonwealth's motion for exhaustive testing
03/06/2012	18	Deft David T. Chalue's response to the Commonwealth's motion for protective order
03/06/2012	19	MOTION by Deft: for independent testing
03/06/2012	20	Deft files opposition to the Commonwealth's motion buccal cell samples and Commonwealth's memorandum in support of exhaustive testing
03/06/2012	21	Defendants' joint motion for funds to retain DNA expert
03/07/2012	22	Amended Affidavit of David F. Capeless filed.
03/07/2012	23	Commonwealth's Second Supplemental Certificate of Compliance filed.
03/07/2012		MOTION (P#21) allowed (John A. Agostini). Copies mailed 3/8/2012
03/08/2012		MOTION (P#12) allowed (John A. Agostini). Copies mailed 3/8/2012
03/08/2012		MOTION (P#13) allowed (John A. Agostini). Copies mailed 3/8/2012
03/08/2012		MOTION (P#19) denied (John A. Agostini). Copies mailed



BERKSHIRE COUNTY

Docket Report

03/08/2012	24	Protective Order regarding discovery materials entered (Agostini, J.). Copies certified to counsel
03/08/2012	25	Order on Commonwealth's motion to compel taking of buccal cell and hair samples and Commonwealth's motion for exhaustive testing entered (Agostini, J). Copies certified to counsel
03/12/2012	26	Defendant's motion for transfer from Souza-Baronowski Correctional facility to the Berkshire County House of Correction filed.
03/15/2012	27	Motion of defense counsel to withdraw filed.
03/23/2012	28	Pro Se Motion of Defendant for the Appointment of Counsel, filed.
03/23/2012	29	Pro Se Petition for leave to seek interlocutory appeal of this court's order that buccal cell collection and DNA testing be conducted, filed.
03/27/2012		MOTION (P#27) allowed (John A. Agostini). Copies mailed 3/27/2012
03/27/2012	30	Notice of appearance of Donald W. Frank, Esq. for the defendant filed. (assigned by CPCs)
03/27/2012	31	Defendant's ex parte motion filed and allowed (Agostini, J.).
03/29/2012	32	Notice of assignment of Donald W. Frank, Esq. as counsel for the defendant filed. Assignment #50478326.
05/03/2012	33	MOTION by Deft: for Out Of State Records Of Prospective Witnesses, filed
05/03/2012	34	MOTION by Deft: For discovery Prospective Witnesses, filed
05/09/2012	35	Defendant's ex-parte motion, filed and allowed (Ford, J).
05/09/2012	36	Defendant's ex-parte motion, filed and allowed (Ford, J).
05/09/2012	37	Defendant's ex-parte affidavit, filed.
05/09/2012	38	Defendant's motion to allow subpoena of jail calls and disciplinary records from informants, filed with affidavit, filed (impound)
05/09/2012	39	Defendant's motion to impound defendant's motion regarding subpoena of jail calls and disciplinary records from informants, filed-temporarily impounded pending hearing (Rup, J).
05/09/2012		Status held -- deft not present. Further status set for Wednesday, 06/27/2012 at 2:00 p.m. to select dates (deft not needed). Defendants Motion for Subpoena Rule 17 to be heard on 06/27/2012 also. (Ford, J).
05/09/2012		MOTION (P#33) allowed to extent that the District Attorney shall provide dates of birth to Probation and Probation shall supply the records (Daniel A. Ford, Justice). Copies mailed to counsel.
05/09/2012		MOTION (P#34) allowed to the extent that the Distict Attorney shall provide dates of birth to Probation and Probation shall supply the records (Daniel A. Ford, Justice). Copies mailed to counsel.
05/09/2012		Notice sent to appear for further status on Wednesday, June 27, 2012 at 2:00 p.m. Deft not needed.
06/18/2012	40	Defendant's motion to impound defendant's memorandum in support of his motion to dismiss filed.



**BERKSHIRE COUNTY
Docket Report**

06/18/2012	41	Defendant's motion to dismiss (McCarthy) filed.
06/18/2012	42	Defense counsel's affidavit in support of defendant's motion to dismiss filed.
06/18/2012	43	Memorandum in support of defendant's motion to dismiss filed (with attached CD of Grand Jury minutes)
06/18/2012	44	Defendant's motion for telephone end electronic records filed.
06/20/2012		faxed - Deft files Amended Motion To Impound
06/20/2012		Faxed - Affidavit of Attorney Donald W. Frank in support of defendant's amended motion to impound
06/21/2012	45	Defendant's amended motion to impound defendant's memorandum in support of motion to dismiss filed-temporarily impounded pending hearing on 8/16/12 (Rup, J).
06/21/2012	46	Counsel's affidavit in support of defendant's amended motion to impound filed.
06/27/2012	47	Notice of appearance of Bonnie G. Allen, Esq. as co-counsel for the defendant, filed.
06/27/2012		MOTION (P#44) allowed (no objection by Commonwealth)-compliance by 7/27/12, (Mary Lou Rup, J). Copies mailed 6/28/2012
06/27/2012		Status held - Further Status set for hearing on Thursday, 8/16/12 at 2:00 p.m. along with any pending discovery motions, defendant's motion to dismiss and motion to impound - the defendant is to be habed. Hearing set for defendant's motion to allow subpoena of jail calls and disciplinary records set for hearing on Thursday, 7/12/12 at 2:00 pm (Rup, J).
07/12/2012		Hearing on motion for discovery subpoena regarding jail calls and disciplinary records held, matter taken under advisement (Agostini, J).
07/16/2012	48	Motion of witness, by his Attorney Thomas J. Donohue, to Redact Names of Non-Witnesses and for Criminal Records, filed.
07/17/2012		MOTION (P#48) denied (John A. Agostini). Copies mailed
07/17/2012	49	Order on defendant's motion to allow subpoena of jail calls and disciplinary records from informants entered (Agostini, J.). Copies certified to counsel
07/20/2012	50	Defendant's objection to witness motion to redact names of non witnesses and criminal records filed.
08/08/2012		Summons for arraignment issued ret Thursday, 8/16/12 at 2:00 pm
08/08/2012		Order of the court under G.L. (Ter.EdP C. 277 Sec.65 accompanying copy of indictment for murder on #11 140- 10 thru 12 issued in hand to deputy sheriff.
08/08/2012		Notice sent scheduling status conference for hearing on Thursday, 9/20/12 at 2:00 pm to counsel.
08/08/2012		Habeas corpus for Deft at Berkshire House of Correction (Pittsfield) will be faxed for hearing date of 8/16/12 at 2:00 pm for arraignment



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

08/16/2012	51	Order of the court under G.L. (Ter.Ed) C. 277 S. 65 accompanying copy of indictment for murder, returned and entered. . (service by issuing in hand to defendant at Berskhire Superior Court on 8/16/12 at 1:15 pm as to # 11 140-10)
08/16/2012	52	Order of the court under G.L. (Ter.Ed) C. 277 S. 65 accompanyiing copy of indictment for murder returned and entered. (service by issuing in hand to defendant at Berkshire Superior Court on 8/16/12 at 1:15 pm as to #11 140-11)
08/16/2012	53	Order of the court under G.L. (Ter.Ed.)C. 277 Sec. 65 accompanying copy of indictment for murder returned and entered. (service by issuing in hand to defendant at Berkshire Superior Court on 8/16/12 at 1:15 pm as to #11 140-12)
08/16/2012		RE Offense 10:Plea of not guilty - Defendant ordered held without bail, without prejudice C. 276 S. 58 warning read, court waives \$150.00 LCF. (Rup J.) Court orders court to prepare habe for defendant for status conference 9/20/12 at 2:00 pm (Rup, J).
08/16/2012		RE Offense 11:Plea of not guilty
08/16/2012		RE Offense 12:Plea of not guilty
08/16/2012		RE Offense 13:Plea of not guilty
08/16/2012		RE Offense 14:Plea of not guilty
08/16/2012		RE Offense 15:Plea of not guilty
08/16/2012		RE Offense 16:Plea of not guilty
08/16/2012		RE Offense 17:Plea of not guilty
08/16/2012		RE Offense 18:Plea of not guilty
08/16/2012		Mittimus for failure to recognize issued to Berkshire House of Correction (Pittsfield)
08/16/2012	54	Habe: returned w/service filed.
08/16/2012	55	Mittimus for failure to recognize returned and filed.
08/16/2012	56	Notice of assignment of counsel of Donald W. Frank for the defendant, filed.
08/20/2012	57	Summons returned and filed as to #11 140-13 thru 18 (service by delivering in hand to defendant on 8/16/12 between 1:15 and 1:18 pm at BCHC 467 Cheshire Rd., Pittsfield MA)
09/17/2012	58	Defendant's motion for grand jury minutes filed.
09/17/2012	59	Defendant's motion to amend order for motion to allow subpoena of jail calls and disciplinary records from informants filed.
09/18/2012		Notice sent on 9/18/2012 for status conference on 10/16/12 at 2:00 pm
09/20/2012		Hearing held before (Agostini, J.) on deft's motion to amend order relative to jail phone calls and disciplinary records of informants; under advisement



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

09/21/2012	60	Amended Order on defendant's motion to allow subpoena of jail calls and disciplinary records from informants entered (Agostini, J.). Copies certified to counsel
09/26/2012		Notice sent on 9/26/2012 for status conference on 10/16/12 at 9:00 am.
10/16/2012		Defendant not present for status conference - status conference held - counsel have until Friday, 10/26/12 to submit joint proposed agenda to the court for Judge Agostini to review. Further status set for Monday, 12/10/12 at 2:00 pm (Agostini, J).
10/16/2012		Notice sent to counsel scheduling further status conference with attorneys for Monday, 12/10/12 at 2:00 pm
11/20/2012	61	Agenda for the Scheduling Conference for December 10, 2012 entered (Agostini, J.). Copies certified to counsel
12/07/2012		Notice sent on 12/7/2012 to counsel re-scheduling further status conference with attorneys to Friday, 12/21/12 at 2:00 P.M.
12/07/2012	62	MOTION by Commonwealth: for Joinder of Offenses and Defendants, filed.
12/12/2012		#62A-Defendant's motion to continue status conference from 12/10 to 12/21 filed and allowed (Ford, J.).
12/20/2012	63	MOTION by Commonwealth: Amended Motion for Joinder of Offenses and Defendants, filed.
12/21/2012		RE Offense 1:Nolle prosequi
12/21/2012		RE Offense 2:Nolle prosequi
12/21/2012		RE Offense 3:Nolle prosequi
12/21/2012		RE Offense 4:Nolle prosequi
12/21/2012		RE Offense 5:Nolle prosequi
12/21/2012		RE Offense 6:Nolle prosequi
12/21/2012		RE Offense 7:Nolle prosequi
12/21/2012		RE Offense 8:Nolle prosequi
12/21/2012		RE Offense 9:Nolle prosequi
12/21/2012	64	Commonwealth files nolle prosequi as to Counts 1 through 9
12/21/2012		Case on before (Ford, J.) for status; after hearing, further status scheduled for 1/31/2013 at 2:00 PM at which time the defendant will report what motions he intends to file; when they will be filed and when they will be heard with proposed dates
01/31/2013		Case on before (Ford, J.) for status; deft. not present; any discovery motions are to be filed by 2/25; McCarthy or other motion to dismiss to be filed by 3/11; opposition to motion to join to be filed by 3/25; counsel agree that the Comm will draft a letter requesting a special assignment and circulate to other counsel
01/31/2013	65	Deft's ex parte motion for funds (2nd request) filed and allowed (Ford, J.).
01/31/2013	66	Deft's ex parte motion for funds (2nd request) filed and allowed (Ford, J.).



**BERKSHIRE COUNTY
Docket Report**

02/25/2013	67	Order for special assignment assigning the Honorable C. Jeffrey Kinder for all purposes entered (Rouse, C.J.)
02/26/2013	68	Motion of New England Newspapers, Inc. to intervene and vacate impoundment orders, with memorandum in support thereof filed.
02/26/2013	69	Deft's Rule 17/Lampron motion for jailhouse informant records , with affidavit of counsel filed.
02/26/2013	70	Deft's motion for discovery re: witness protection filed.
02/26/2013	71	Deft's motion for exculpatory evidence: promises rewards and inducements filed.
02/26/2013	72	Deft's motion to impound Dwyer pleadings filed.
02/26/2013	73	Defendants' motion for Rule 17 subpoena pursuant to Lampron/Dwyer re: KOR Medical and Mental Health Units, Berkshire County House of Correction filed.
02/26/2013	74	Affidavit of counsel in support of Rule 17 motion for subpoenas filed.
02/26/2013	75	Defendant's motion for witness's 6-Part folder filed.
02/26/2013	76	Defendant's motion for witness's 6-Part folder filed.
02/26/2013	77	Defendant's motion for information regarding Grand Jury filed.
02/26/2013	78	Defendant's motion for incarceration information of inmates filed.
02/26/2013	79	Defendant's motion for exculpatory District Attorney's notes filed.
02/26/2013	80	Defendant's motion to produce evidence tags and logs filed.
02/26/2013	81	Defendant's motion for expert witness testimony filed.
02/26/2013	82	Defendant's motion for information regarding Grand Jury proceedings filed.
02/26/2013		#82A-Defendant's ex parte motion for fees filed.
03/12/2013	83	Defendant's motion to continue filing date for motion to dismiss filed.
03/12/2013	84	Defendant's ex parte motion for fee for transcription filed.
03/22/2013	85	Defendant's motion for bill of particulars filed.
04/03/2013		Notice sent for counsel to appear on Monday, April 22, 2013 at 2:00 PM in Northampton for status
04/05/2013		Letter received from the deft. regarding filing of pro se motions
04/08/2013		MOTION (P#83) allowed-motions to be filed by 5/10/2013 (Kinder, J.). Copies mailed 4/22/2013
04/08/2013		MOTION (P#84) denied without prejudice as there is no affidavit in support of the motion (Kinder J.). Copies mailed
04/10/2013	86	Affidavit in support of ex parte motion for fee transcription and fees for replacement DVDs and CDs filed.
04/10/2013		MOTION (P#84) allowed-not to exceed amount requested without further order (Kinder, J.). Copies mailed 4/22/2013



BERKSHIRE COUNTY

Docket Report

04/22/2013		Defendant's ex parte motion #82A filed on 2/26/13 - allowed. (Kinder J.) Copy certified to Attorney Frank only.
04/23/2013		Notice sent on 4/23/2013 for hearing on pending discovery motions, motions to dismiss, Commonwealth's motion for joinder and pre trial hearing for 5/22/13 at 2:00 pm and further hearing if necessary for 5/31/13 at 2:00 pm
04/23/2013	87	Commonwealth's fourth supplemental certificate of compliance filed.
05/15/2013	88	Defendant's motion to dismiss filed.
05/15/2013	89	Affidavit of Attorney Frank in support of motion to dismiss filed.
05/15/2013	90	Memorandum in support of motion to dismiss filed.
05/15/2013	91	Defendant's motion for relief from prejudicial joinder filed.
05/15/2013	92	Affidavit of Attorney Frank in support of defendant's motion for relife from prejudicial joinder filed.
05/15/2013	93	Memorandum in support of motion for relief from prejudicial joinder filed.
05/21/2013	94	Notice of Appearance of Special Assistant Attorney General Daniel J. Sheridan as counsel for Berkshire County Sheriff's Office, filed.
05/21/2013	95	Berkshire County Sheriff's Office's OPPOSITION to Defendant David Chalue's Rule 17 Motion for Third Party Records, filed.
05/21/2013	96	Affidavit of Brad Little, filed.
05/21/2013	97	Affidavit of Captain Dale Newberry, filed.
05/21/2013		#95A - Berkshire County Sheriff's Office's opposition to defendant David Chalue's Rule 14 motion for incarceration information of inmates filed.
05/22/2013	98	Berkshire County Sheriff's Office's limited opposition to defendant David Chalue's Rule 17 motion for medical and mental health records with certificate of service filed.
05/22/2013	99	Affidavit of counsel in support of defendant's motion for relief from prejudicial joinder filed.
05/22/2013	100	Commonwealth's memorandum in opposition to the defendants motions to dismiss for lackof jurisdiction insufficiency of the evidence and for improper presentation to the Grand Jury filed.
05/24/2013	101	Scheduling order entered. (Kinder J.)
05/24/2013		#101A - Order on the defendants' motion to dismiss entered. (Kinder J.)
05/31/2013	102	Commonwealth's memorandum opposing New England Newspapers Inc.'s motion to intervene and vacate impoundment orders filed.



BERKSHIRE COUNTY

Docket Report

05/31/2013		MOTION (P#68) After hearing and consideration of the pleadings and bearing in mind that impoundment of judicial records is the exception rather than the rule, I conclude that Judge Agostini's earlier impoundment orders should not be vacated. I am persuaded by the Commonwealth's and the defendants' arguments that disclosure of the search warrant applications now impounded would adversely impact the defendants' rights to a fair trial in that (1) the inflammatory nature of the material could have a chilling effect on witnesses cooperating with the Commonwealth or the defendants; and (2) disclosure and publication of the graphic information, much of which will be inadmissible at trial court so infect the pool of potential jurors as to make selection of a fair and impartial jury impossible. I conclude, therefore, that this is the rare case in which, when balancing the public's right to access with the defendants rights to a fair trial, the scales tip in favor of continued impoundment. For those reasons, the motion of New England Newspapers Inc. to vacate the impoundment orders is Denied. (Kinder J.). Copies mailed
06/03/2013	103	Defendant's memorandum in support of motion for relief from prejudicial joinder supplemental memorandum filed.
06/03/2013	104	Pre trial conference report filed.
06/03/2013	105	Commonwealth's agreement regarding discovery motions filed.
06/04/2013	106	Defendant's Rule 17 Lampron motion for jail house informant records filed
06/04/2013	107	Defendant's motion for incarceration information of inmates filed.
06/27/2013	108	Defendant's motion to amend amended order on defendant's motion to allow subpoena of jail calls and disciplinary records from informants, with certificate of service, filed.
08/19/2013	109	Stipulated agreement for a protective order concerning all jail records, filed. These documents are submitted subject to the stipulated agreement for a protective order which is filed herewith. 1) Dates of incarceration at the Berkshire County Jail and House of Correction dating back to 2001; 2) Dates and times of each call made or received at the Berkshire County Jail and House of Correction (BCJHC) by the designated inmates; 3) Housing pod and room number of designated inmates at the BCJHC from September 6, 2006 to March 12, 2012; 4) The names of each cellmate of the designated inmates at the BCJHC from September 6, 2011 to March 6, 2012--During the relevant period, none of the designated inmates had a roommate; 5) BCJHC Segregation schedules for the designated inmates (Chalue, Lemieux and Letalien) for the period September 6, 2011 to March 12, 2012; 6) Inmate handbook; 7) BCJHC Visit Log for the designated inmates for the period September 6, 2011 to March 12, 2012.
08/21/2013		Stipulated agreement APPROVED (Kinder, J). Certified copy to counsel.
09/23/2013	110	(IMPOUNDED)--Defendant's motion for order to Commonwealth to account for and return legal documents seized from defendant's cell filed.
09/23/2013	111	(IMPOUNDED)--Defendant's affidavit in support of motion for return of legal documents filed.



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

09/23/2013	112	(IMPOUNDED)-Defendant's motion for law enforcement contacts with Jeffery Cashman filed.
09/23/2013	113	(IMPOUNDED)-Defendant's motion for expedited transcription of so called "jail house witnesses" status hearings filed.
09/23/2013	114	(IMPOUNDED)-Defendant's motion for copy of Lampron records from Berkshire County House of Correction filed.
09/23/2013	115	(IMPOUNDED)-Defendant's motion for probation records of Jeffery Cashman and David Casey filed.
09/23/2013	116	(IMPOUNDED)-Defendant's Rule 17 Lampron motion for SBCC/Cashman records filed.
09/23/2013	117	(IMPOUNDED)-Affidavit of defense counsel in support of motion for SBCC/Cashman records filed.
09/23/2013	118	(IMPOUNDED)-Defendant's motion for Rule 17 subpoenas pursuant to Lampron/Dwyer Jeffery Cashman mental health records, with affidavit of counsel filed.
09/23/2013	119	(IMPOUNDED)-Defendant's motion for late filing of defendant's motion to suppress pursuant to Commonwealth v. Murphy filed.
09/23/2013	120	(IMPOUNDED)-Defendant's motion to suppress Jeep stop and seizure , with affidavit of defendant filed.
09/23/2013	121	(IMPOUNDED)-Defendant's motion to suppress motor vehicle stop and seizure vehicle owned by Ocean Sutton filed.
09/23/2013	122	(IMPOUNDED)-Defendant's motion to suppress cell search at Souza Baronowski filed.
09/23/2013	123	(IMPOUNDED)-Affidavit of Lastarandre Bell in support of motion to suppress cell search filed.
09/23/2013	124	(IMPOUNDED)-Defendant's motion suppress statements filed.
09/23/2013	125	(IMPOUNDED)-Memorandum in support of motion to suppress statements filed.
09/23/2013	126	(IMPOUNDED)-Defendant's affidavit in support of motions to suppress statements to Ely and Dawson filed.
09/23/2013	127	(IMPOUNDED)-Defendant's motion to suppress identification by Victoria Ross filed.
09/23/2013	128	(IMPOUNDED)-Affidavit of counsel in support of motion to suppress identification by Victoria Ross filed.
09/23/2013	129	(IMPOUNDED)-Defendant's memorandum of law in support of motion to suppress identification by Victoria Ross filed.
09/23/2013	130	(IMPOUNDED)-Defendant's affidavit in support of motion to suppress identification by Victoria Ross filed.
09/25/2013	131	Commonwealth's fifth supplemental certificate of compliance filed.
09/26/2013	132	Defendant's motion to impound all motions dated 9/20/13, with certificate of service, filed.



BERKSHIRE COUNTY

Docket Report

09/26/2013		Letters from Donald W. Frank, Esq. requesting certified copies of docket sheets, indictments and appearance of counsel of (7) criminal cases of potential witnesses, received. Mailed certified copies of requested criminal case information to Donald W. Frank, Esq. on 9/27/13
09/26/2013		MOTION (P#132) allowed (Kinder, J). Copies mailed 9/27/2013
09/27/2013	133	Defendant's Rule 17/Lampron motion for SBCC David Chalue property records filed.
10/07/2013		Habeas corpus for Deft was faxed to BCHC for hearing on Friday 10/11/13 at 9:00 am in Hampden County Superior Court before Judge Kinder
10/07/2013		Received letter from Attorney Frank informing court that Mr. Chalue has been moved back to Souza-Barnowski Correctional Center.
10/10/2013	134	Notice of assignment of counsel of Glenn Keiderling for witness Rose Dawson for hearing in Springfield Superior Court on Friday, 10/11/13 at 9:00 am. filed.
10/11/2013		Commonwealth's oral request to close courtroom - defendant does not object. Commonwealth withdraws oral request to close courtroom. Defendant's orally joined motion of co defendant #11 139 Adam Lee Hall for change of venue. Motion for change of venue - taken under advisement. Commonwealth concedes that regarding defendant's motion for severance that severance is necessary. Commonwealth to file written response to defendant's motion for severance by one week from today. Oral motion of defendant and co defendant Adam Lee Hall to sequester witnesses - allowed. Evidentiary motion hearing on motion to suppress (paper #127, #124 and #120) exhibits taken. Continued to 10/28/13 at 9:00 am in courtroom 2 for further evidentiary hearing on #120 and all other outstanding motions to suppress. Habe to issue. Commonwealth to file written response to all outstanding discovery motions within one week from today. (If any discovery motions involve third parties who have not already been notified, then they should be notified.) (Kinder J.)
10/11/2013		Habeas corpus for Deft at Berkshire House of Correction (Pittsfield) to Captain Raymond for hearing on 10/28/13 at 9:00 am in Springfield.
10/11/2013		#134 (A) Commonwealth's memorandum in opposition to the defendants' motions to suppress evidence filed.
10/11/2013		#134 (B) Commonwealth's memorandum of law in opposition to the defendants' motion to suppress identification filed.
10/11/2013		#134 (C) Defendant's Ex Parte motion for additional funds filed. (IMPOUNDED)
10/11/2013		MOTION (P#134 C) allowed (Kinder J.) Copies mailed 10/31/2013 to Attorney Frank (IMPOUNDED)
10/15/2013		Notice sent on 10/15/2013 for hearing on 10/28/13 at 9:00 am in Hampden Superior Court
10/21/2013	135	Commonwealth's response to outstanding discovery motions filed.
10/22/2013	136	Commonwealth's response to the defendant's motion to sever filed.



10/24/2013	137	Commonwealth's motion to impound application filed and allowed. (Kinder J.)
10/24/2013	138	Commonwealth's application filed and impounded (IMPOUNDED)
10/25/2013	139	Commonwealth's motion to permit use of audio visual technology filed.
10/25/2013	140	Commonwealth's response to outstanding discovery motions filed.
10/25/2013	141	Commonwealth's bill of particulars filed.
10/25/2013	142	Commonwealth's amended memorandum in opposition to the defendants' motions to suppress evidence filed.
10/28/2013		Continuation of motion to suppress held in Springfield before Judge Kinder.
10/30/2013	143	Order on the Commonwealth's motion to continue trial entered. (Kinder J.) Commonwealth's oral motion to continue the trial is DENIED. The trial of defendant Hall will begin on January 6, 2014. Copies certified to all attorneys.
10/30/2013	144	Order on the defendants' motions for severance entered. (Kinder J.) The severance requested by Chalue and Veiovis is ALLOWED. Each defendant will be tried separately. Hall's trial will begin on 1/6/14. The trial schedules of Chalue and Veiovis will be address at the next scheduled hearing on 11/21/13. Copies certified to all attorneys.
10/30/2013	145	Scheduling order of Judge Kinder entered. (Kinder J.) Copies certified to all attorneys.
10/30/2013		Notice sent on 10/30/2013 for continuation of hearing on motions to suppress evidence and outstanding discovery motions for 11/21/13 at 9:00 am in Springfield before Judge Kinder
11/13/2013		Writ of Habeas Corpus for hearing on 11/21/2013 at 9:00 AM in Springfield FAXED to Captain Raymond at the House of Correction; original writ issued in hand to District Court lockup for the jail
11/21/2013		#145A Defendant's motion to join motion for change of venue filed.
11/21/2013		#145B - Defendant's motion for transcript filed.
11/21/2013		Continuation of hearing on motion to suppress and any outstanding discovery motions heard in Springfield before Judge Kinder
11/25/2013	146	Commonwealth's memorandum in opposition to the defendants' motions to suppress statements filed.
11/26/2013	147	Memorandum of decision and order on defendants' motions to suppress evidence seized from Jeep Wrangler on 9/4/11 - DENIED and entered. (Kinder J.) -
11/26/2013	148	Memorandum of decision and order on defendants' motions to suppress Clubhouse statements - DENIED and entered. (Kinder J.)
11/26/2013	149	Memorandum of decision and order on defendants' motions to suppress identification by Victoria Ross - DENIED and entered. (Kinder J.)



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

11/26/2013	150	Memorandum of decision and order on defendants' motions to suppress evidence seized from Elantra on 9/4/11 - DENIED and entered. (Kinder J.)
11/26/2013	151	Omnibus order on defendants' outstanding discovery motions entered. (Kinder J.)
12/04/2013	152	SCHEDULING ORDER, entered (Kinder, J). (Counsel to appear in Hampden County for a final pre-trial conference on 1/30/14 without defendant present; Deadline for filing motions in limine is 3/28/14; Hearing on motions in limine set for 4/14/14 with defendant present; Trial to begin on 4/15/14; If counsel wish to be heard regarding proposed schedule they should appear before me at 2:00 pm on 12/19/13 in Hampden County). Copies to counsel on 12/4/13
12/04/2013		Notice sent to counsel scheduling final pre-trial conference for 1/30/14 at 2:00 pm before (Kinder, J) in Hampden Superior Court -Courtroom 2 in Springfield, MA mailed 12/4/13
12/04/2013		Notice sent to counsel for hearing on motions in limine on 4/14/14 at 9:00 a.m. to be held before (Kinder, J) in Hampden Superior Court-Courtroom 2 in Springfield, MA mailed 12/4/13
12/04/2013		Notice sent to counsel scheduling trial to begin on 4/15/14 at 9:00 a.m. before (Kinder, J) in Hampden Superior Court-Courtroom 2 in Springfield, MA mailed 12/4/13
12/12/2013	153	Defendant's motion for witness protection discovery filed.
12/16/2013		Received letter from Deana Johnson Esq. at Mass Partnership for Correctional Healthcare re: Jeffrey Cashman's mental health records
12/17/2013	154	Defendant's motion to impound filed.
12/17/2013	155	Defendant's motion to continue trial date filed.
12/17/2013	156	Defendant's motion to view cell and cell-block filed.
12/17/2013	157	Defendant's motion for identification of inmates in cell-block filed.
12/17/2013	158	Defendant's affidavit in support of motion to view cell and cell-block and motion for identification of inmates in cell-block filed.
12/17/2013	159	Defendant's motion for identification of inmates housed with David Casey filed.
12/17/2013	160	Defendant's motion for reconsider denial of Rule 17/Lampron motion for SBCC David Chalue property records filed.
12/17/2013	161	Defendant's motion to reconsider denial of motion for order to Commonwealth to account for and return legal documents for documents filed.
12/19/2013		MOTION (P#154) allowed - allowed until further order of the court (Kinder J.) . Copies mailed 12/23/2013
12/19/2013		MOTION (P#155) allowed trial to commence April 17, 2014 (Kinder J.) Copies mailed 12/23/2013
12/19/2013		MOTION (P#156) allowed no opposition (Kinder J.) Copies mailed 12/23/2013



BERKSHIRE COUNTY

Docket Report

12/19/2013		MOTION (P#157) allowed - without objection (Kinder J.) Copies mailed 12/23/2013
12/19/2013		Document # 159 - deferred pending response from BCHC (Kinder J.)
12/19/2013		Document # 160 - deferred to 1/3/14 so that counsel for Sousa Baranowski can be present. (Kinder J.)
12/19/2013		MOTION (P#161) denied (Kinder J.) .
12/19/2013	162	Stipulated agreement for protective order concerning viewing and photographing at the Berkshire County Jail and House of Correction, entered. Copies certified to all attorneys.
12/23/2013	163	Department of Correction's motion to intervene and opposition to defendant's Rule 17 Lampron motion for SBCC/Cashman records filed.
12/23/2013	164	Department of Correction's response to defendant's motion for Rule 17 subpoenas pursuant to Lampron/Dwyer Jeffrey Cashman's Mental Health Records filed.
12/23/2013	165	Department of Correction's opposition response to defendant's Rule 17 Lampron motion for SBCC/David Chalue property records filed.
12/26/2013	166	Commonwealth's response to the defendant's motion to reconsider order regarding return of legal documents, filed.
12/31/2013		Received FAXED motion by Massachusetts Partnership for Correctional Healthcare, LLC for reconsideration of the court's order allowing defendant's subpoena for the mental health records of Jeffery Cashman and request for impoundment
01/06/2014	167	Defendant's ex parte motion filed and allowed. (Kinder J.) (SEALED)
01/06/2014	168	Defendant's ex parte motion filed and allowed. (Kinder J.)(SEALED)
01/06/2014	169	Affidavit in support of ex parte motion filed. (SEALED)
01/06/2014	170	Defendant's ex parte motion filed and denied. (Kinder J.) (SEALED)
01/06/2014	171	Motion by Massachusetts Partnership for Correctional Healthcare LLC for reconsideration of the court's order allowing defendant's subpoena for the mental health records of Jeffrey Cashman (and request for impoundment) filed. (IMPOUNDED)
01/08/2014		Notice sent on 1/8/2014 for hearing before Judge Kinder in Hampden Superior Court for motions on 1/24/14 at 2:00 pm
01/13/2014	172	Defendant's pro se verified petition for appointment of private counsel pursuant to GL C. 221 S. 40 filed.
01/16/2014		Notice sent on 1/16/2014 for hearing on 1/24/14 at 2:00 pm in Hampden Superior Court before Judge Kinder on Defendant's pro se verified petition for appointment of private counsel pursuant to GL c 221 s 40
01/16/2014		Habeas corpus for Deft at Souza-Baranowski Correctional Center and Berkshire House of Correction for Friday 1/24/14 at 2:00 pm in Springfield
01/21/2014	173	Defendant's motion to order SBCC to allow extended contact with defense team filed.



BERKSHIRE COUNTY

Docket Report

01/21/2014	174	Affidavit in support of motion to order SBCC to allow extended contact with defense team filed.
01/21/2014	175	Department of Correction's response to defendant's motion to reconsider denial of Rule 17 Lampron motion for SBCC David Chalue property records filed.
01/24/2014	176	Notice of appearance of George Puddister, Esq. and Victor J. Koufman as counsel for Massachusetts Partnership for Correctional Healthcare filed.
01/24/2014		After hearing, defendant's pro se verified petition for appointment of new counsel Denied-see record for reasons, (Kinder, J.).
01/24/2014	177	Defendant's motion to further amend order allowing defendant to listen to recorded calls of Letalien and Lemieux previously provided to defense counsel (pleading #108) filed and allowed without opposition (Kinder, J.).
01/24/2014	178	Defendant's motion for probation records of potential witnesses filed and allowed without opposition (Kinder, J.).
01/24/2014	179	Department of Correction's response to defendant's motion to order SBCC to allow extended contact with defense team filed.
01/24/2014		Defendant's motion to order SBCC to allow extended contact with defense team Denied as to request for extended contact for the reasons stated in response of Dept. of Corrections; Deferred as to request for remand to another facility (Kinder, J.).
01/24/2014		MOTION (P#160) After reconsideration, my earlier order is modified as follows: The Department of Corrections will provide pursuant to Rule 17 subpoena all records related to property taken or received from the defendant at SBCC, including any correspondence related to such property. This order is made after hearing at which the Department of Corrections voiced no opposition to this order but stated a belief that no such documents exist (Kinder, J.). Copies mailed 2/20/2014
01/24/2014		MOTION (P#163) denied (Kinder, J.). Copies mailed
01/24/2014		#179A-Protective Order for defense counsel for access to presumptively privileged records entered (Kinder, J.).
01/31/2014	180	Defendant's ex parte motion for funds filed and allowed (Kinder, J.).
02/24/2014	181	Commonwealth's motion for continuance of scheduled trial filed and allowed-trial will commence on 4/22/2014 (Kinder, J.).
02/24/2014	182	Commonwealth's motion for a view filed.
02/24/2014	183	Defendant's motion for a view filed.
02/24/2014	184	Defendant's motion for a change of venue filed.
02/24/2014	185	Joint pre trial memorandum filed.
02/24/2014	186	Defendant's motion to prevent Berkshire County House of Correction from interfering with investigation and trial preparation filed.
02/24/2014	187	Berkshire County Sheriff's Office's opposition to defendant's motion to prevent Berkshire County House of Correction from interfering with investigation and trial preparation filed.



BERKSHIRE COUNTY

Docket Report

02/24/2014	188	Berkshire County Sheriff's Office's memorandum of law in support of its opposition to defendant's motion to prevent Berkshire County House of Correction from interfering with investigation and trial preparation, with affidavit of Sheriff Thomas Bowler, filed.
02/24/2014	189	Department of Correction's response to defendant's motion to prevent Berkshire County House of Correction from interfering with investigation and trial preparation filed.
02/25/2014		MOTION (P#182) Denied-I am not persuaded that the locations cannot be adequately described in testimony, photographs and diagrams (Kinder, J.).
02/25/2014		MOTION (P#183) Denied. I am not persuaded that the evidence regarding the locations described cannot be adequately described through testimony, photographs and diagrams if necessary (Kinder, J.).
02/25/2014		MOTION (P#184) Denied. After hearing and consideration of the pleadings and exhibits, I am not persuaded that there exists in Hampden County so great a prejudice against the defendant that he could not there obtain a fair and impartial trial (Kinder, J.).
02/25/2014		MOTION (P#186) Allowed, in part, and Denied, in part. As to request number 1, bearing in mind that the Supreme Court has repeatedly held that correctional officials are entitled to substantial deference in implementing rules and providing for institutional security, <i>Turner v. Safely</i> , 482 U.S. 78, 84-85 (1987), the request is Denied essentially for the reasons set forth in the opposition filed by the Berkshire County House of Correction; As to request number 2, the defendant requested that no action be taken. As to request number 3, the defendant will be remanded to the Hampden County House of Correction for purposes of trial preparation and trial effective April 7, 2014. To that extent, the motion is Allowed (Kinder, J.).
02/25/2014	190	Revised scheduling and remand order entered-deadline for filing of all pre trial motions including motions in limine-3/28/2014; hearing on pre trial motions at 10:00 AM in Hampden Superior Court on 4/11/2014; Writ of habeas corpus will issue; Trial will begin on 4/22/2014 at 9:00 AM; (Kinder, J.). Copies certified to counsel
03/05/2014		Records (Impounded) received from Dept. of Correction-SBCC.
03/20/2014	191	Defendant's motion for discovery of material related to polygraph tests filed.
03/20/2014	192	Defendant's motion to view and copy evidence from Comm v. Hall filed and allowed (Kinder, J.).
03/26/2014	193	Commonwealth's response to defendant's motion for discovery of material related to polygraph filed.
03/26/2014	194	Commonwealth's request to bifurcate the testimony of Sgt. Christopher Meiklejohn filed.
03/26/2014	195	Commonwealth's request to bifurcate the testimony of Inv. Todd Briggs filed.
03/26/2014	196	Commonwealth's request to bifurcate the testimony of Lt. David Foley filed.



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

03/26/2014	197	Commonwealth's request to bifurcate the testimony of Alexandra Ely filed.
03/31/2014	198	Commonwealth's petition for Certification of necessity of attendance of out of state witness Bryan Johnson with affidavit in support thereof filed.
03/31/2014	199	Defendant's Rule 17 motion for SBCC to identify correctional officers filed.
03/31/2014	200	Defendant's Rule 17 motion for SBCC Jethro Kempton records filed.
03/31/2014	201	Affidavit (unsigned) of defendant-jailhouse informant records filed.
03/31/2014	202	Defendant's motion to dismiss or in the alternative to suppress cell searches filed.
03/31/2014	203	Defendant's memorandum in support of motion to dismiss or in the alternative to suppress cell searches filed.
03/31/2014	204	Defendant's motion to suppress cell phone handset and record data as fruit of illegal warrantless seizure and search and affidavits filed.
03/31/2014	205	Defendant's motion to exclude cell phone expert testimony as to location of the defendant's phone filed.
03/31/2014	206	Defendant's motion in limine-Hall's statements regarding killing filed.
03/31/2014	207	Defendant's motion to obtain discovery on cell search filed.
03/31/2014	208	Defendant's motion in limine-Jason Lemieux filed.
03/31/2014	209	Defendant's motion in limine-segment of murder indictment not to be read to the jury filed.
03/31/2014	210	Defendant's motion for jury voir dire written questions filed.
03/31/2014	211	Defendant's motion to exclude photographs filed.
03/31/2014	212	Defendant's motion in limine-anatomy textbook filed.
03/31/2014	213	Defendant's motion in limine-voluntariness of statements filed.
03/31/2014	214	Defendant's motion in limine-Casey statements regarding defendant's background filed.
03/31/2014	215	Defendant's motion in limine-in court identification by Victoria Ross filed.
03/31/2014	216	Defendant's motion to sequester witnesses filed.
03/31/2014	217	Defendant's motion in limine to strike reference to any counter surveillance filed.
03/31/2014	218	Defendant's motion in limine to exclude certain testimony of multiple sim cards and handsets filed.
03/31/2014	219	Defendant's motion in limine to strike prejudicial materials from intended Commonwealth exhibits filed.
03/31/2014	220	Defendant's motion in limine to exclude any statements of David Glasser filed.



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

03/31/2014	221	Defendant's motion in limine to be able to cross examine Rose Dawson using information contained in Dwyer records and accompanying affidavit and motion to seal both the motion and affidavit filed.
03/31/2014	222	Defendant's motion to exclude hearsay statements of co-conspirators until such time a conspiracy is proved by independent evidence filed.
03/31/2014	223	Defendant's motion in limine regarding bridge filed.
03/31/2014	224	Defendant's motion in limine to exclude evidence of prior bad acts or prior incarcerations filed.
04/02/2014	225	Defendant's motion in limine to exclude testimony of jailhouse informants filed.
04/02/2014	226	Affidavit of counsel in support of motion in limine to exclude testimony of jailhouse informants filed.
04/02/2014	227	Memorandum of law in support of motion in limine to exclude testimony of jailhouse informants filed.
04/03/2014		Summons issued to Massachusetts Partnership for Correctional Healthcare for production of mental health records
04/03/2014		Summons issued to Sourz Baranowski Correctional Center for production of certain records
04/03/2014		Summons issued to Daniel Sheridan, Esq. for certain mental health records
04/04/2014		Habeas corpus faxed to: MCI Souza Baranowski for Monday 4/7/14 until further order of the court. Also Hampden County House of Correction, MCI Souza Baranowski and Berkshire House of Correction each was faxed an Order of Remand along with endorsed motion .
04/04/2014		ORDERED remanded to the custody of the Hampden House of Correction (Ludlow) effective 4/7/14
04/04/2014		Records received in hand from Daniel Sheridan, Esq. from the House of Correction
04/08/2014	228	Motion to quash subpoena duces tecum by Attorney LeBlanc filed.
04/09/2014	229	Ex parte motion by Attorney Frank filed and allowed. (Kinder J.) IMPOUNDED.
04/09/2014	230	Ex parte motion by Attorney Frank filed and allowed. (Kinder J.) IMPOUNDED.
04/10/2014	231	Commonwealth's request to bifurcate the testimony of Trooper Carol Zullo filed.
04/10/2014	232	Commonwealth's memorandum in opposition to the defendant's motion to dismiss or suppress jail cell searches filed.
04/10/2014	233	Commonwealth's memorandum of law in opposition to the defendant's motion to suppress testimony of Commonwealth witnesses filed.
04/10/2014	234	Commonwealth's memorandum in opposition to the defendant's motion to suppress cellular telephone records and conclusions of government's experts filed.



BERKSHIRE COUNTY

Docket Report

04/10/2014	235	Commonwealth's files memorandum in opposition to the defendant's motion to exclude expert testimony as to the location of the defendant's phone
04/11/2014	236	Department of Correction's respnse to defendant's Rule 17/Lampron motion for SBCC to identify correctional officer(s) filed.
04/11/2014	237	Department of Correction's opposition to defendant's Rule 17/Lampron motion for SBCC/Kempton records filed.
04/11/2014	238	Department of Correction's motion to quash defendant's subpoena issued to Keeper of the Records at Souza Baranowski Correctional Center filed.
04/11/2014	239	Defendant's Chalue's assent to motion of Attorney Richard LeBlanc to quash subpoena duces tecum in regard to Philpot case filed.
04/11/2014		MOTION (P#228) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#194) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#195) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#196) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#197) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#198) allowed (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		Hearing held in Hampden Superior Court before the Honorable C. Jeffrey Kinder on pre trial motions
04/11/2014		MOTION (P#199) allowed in part as to only those names beginning with MC (Kinder, J.). Copies mailed 4/15/2014
04/11/2014		MOTION (P#209) allowed (Kinder, J.). Copies mailed 4/16/2014
04/11/2014		Hearing held before (Kinder, J.) on defendant's motion to exclude testimony of Letalien and Cashman, also, on defendant's motion to dismiss/suppress jail cell searches; under advisement (deft. requested that the hearing on the motion to exclude testimony be open to allow for information regarding correctional officer to be identified)
04/11/2014	240	List of exhibits relative to evidentiary hearing held on motion to exclude testimony of Letalien and Cashman and motion to dismiss/suppress jail cell searches
04/11/2014	241	List of witnesses who testified during evidentiary hearing held on 4/11 and 4/14 before (Kinder, J.). in Hampden Superior Court
04/11/2014		MOTION (P#191) denied (Kinder, J). Copies mailed
04/11/2014		#241A-Deft's ex parte motion filed and allowed (Kinder, J.).
04/14/2014		Evidentiary hearing continued before (Kinder, J.) on motion to suppress jail cell searches;
04/14/2014	242	Second Omnibus order on defendant's discovery motions entered (Kinder, J.). Copies certified to prosecutors, defense counsel and DOC counsel



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

04/14/2014		MOTION (P#213) allowed as to closing instructions (Kinder, J.). Copies mailed 4/16/2014
04/14/2014		MOTION (P#216) allowed with exceptions(Kinder, J.). Copies mailed 4/16/2014
04/14/2014		MOTION (P#217) allowed as to opinion testimony (Kinder, J.). Copies mailed 4/16/2014
04/14/2014		MOTION (P#218) withdrawn in open court (Kinder, J.). Copies mailed
04/14/2014		MOTION (P#219) denied (Kinder, J.). Copies mailed
04/14/2014		MOTION (P#221) allowed (Kinder, J). Copies mailed 4/16/2014
04/14/2014		MOTION (P#222) the court will give a limiting instruction (Kinder). Copies mailed 4/16/2014
04/14/2014		MOTION (P#223) denied (Kinder, J.). Copies mailed
04/14/2014	243	Memorandum of Decision and Order on defendant's motion to exclude testimony of jailhouse informants entered-Denied without prejudice to renew should additional discovery warrant revisiting the issue (Kinder, J.). Copies certified to counsel
04/14/2014		Defense counsel is to provide the Commonwealth with the CV of cell phone expert; status report due from defense counsel about expert reports by 4/18
04/14/2014		MOTION (P#231) allowed (Kinder, J). Copies mailed 4/16/2014
04/16/2014		Records received from the Department of Correction IMPOUNDED.
04/16/2014	244	Department of Correction's response to court's omnibus order on defendant's outstanding discovery motion fi led.
04/16/2014	245	Commonwealth's petition for certification of necessity of attendance of out of state witness Justin Lasky, with affidavit of District Attorney Capeless filed and allowed (Kinder, J.). Out of state witness summons issued to ADA Caccaviello
04/16/2014		Received E-Mail from Katherine Briggs, Esq. with Department of Correction's response to the Court's second omnibus order on defendant's discovery motions relative to production of certain records.
04/17/2014	246	Defendant's update on expert filed.
04/17/2014	247	Defendant's motion to continue trial in order to obtain certain materials, with affidavit filed.
04/18/2014	248	Order on the defendant's motion to continue trial-motion Denied (Kinder, J.). Notice sent to counsel
04/18/2014		Received from the Department of Correction IMPOUNDED records relative to certain individuals
04/18/2014	249	Department of Correction's response to Court's second omnibus order on defendant's discovery motions filed.
04/22/2014		Received from Attorney George J. Puddister,, records from MPCH. Copies were provided to both the Comm and defense counsel. IMPOUNDED



BERKSHIRE COUNTY

Docket Report

04/22/2014	250	Memorandum of Decision and Order on defendant's motion to dismiss or suppress jail cell searches for violation of right to counsel entered-motion Denied (Kinder, J.). Copies in hand to Comm and Defense counsel
04/22/2014	251	Order on defendant's motion to suppress cell phone record data as fruit of warrantless search and seizure entered-motion Denied (Kinder, J.). Copies in hand to Comm and Defense counsel
04/22/2014		MOTION (P#210) denied (Kinder, J.). Copies mailed
04/22/2014	252	Defendant's update regarding Dr. Elizabeth Laposata filed.
04/22/2014	253	Defendant's motion for statements of Commonwealth witness Jeffrey Cashman filed; Denied in light of the Commonwealth's representation that it is not in possession of any written or recorded statements of Mr. Cashman beyond the report of polygraph examination which has already been disclosed; of course the Commonwealth has a continuing obligation to turn over any exculpatory material (Kinder, J.).
04/22/2014	254	Defendant's ex parte motion (fourth request) filed and allowed (Kinder, J.). IMPOUNDED
04/22/2014	255	Defendant's ex parte motion filed and allowed (Kinder, J.). IMPOUNDED
04/22/2014	256	Defendant's motion to continue trial filed and Denied-See memo of decision dated 4/18/2014 (Kinder, J.).
04/22/2014		MOTION (P#209) denied (Kinder, J.). Copies mailed
04/22/2014		Commonwealth requests that the evidence begin on Friday 4/25 to allow the family of one of the victims to attend a funeral service-allowed (Kinder, J.)
04/22/2014		Trial commenced before (Kinder, J.). Court orders sixteen jurors impanelled. Court will conduct an individual voir dire; 75 jurors available today;
04/22/2014		Jurors 6, 8, 21, 24, 42, 47, 62, 70, 78 and 96 seated. Panel exhausted. Comm used 7 peremptory chllgs; Deft. used 5 peremptory chllgs; Impanelment to continue on 4/23
04/22/2014		#256A-Commonwealth's motion in limine to admit defendant's pre trial testimony filed.
04/23/2014		The Court orders defense counsel to provide any expert report to the Comm by Wed. 4/30 (Kinder, J.).
04/23/2014		Jury impanelment continued; Jurors 17, 49, 51, 66, 67, 78 and 83 seated today; released until Fri. 4/25; The court seated 17 jurors; in the event that no previously impanelled jurors are excused, the 17th juror will be excused. The court provided both counsel an additional peremptory challenge.
04/23/2014	257	Stipulations of counsel filed.
04/23/2014	258	List of jurors filed.
04/23/2014	259	Defendant's motion for funds for trial clothes filed.
04/24/2014		No Court Today



BERKSHIRE COUNTY

Docket Report

04/25/2014	260	Stipulation for witness immunity regarding Earl Persip filed.
04/25/2014	261	Stipulation for witness immunity regarding Brittany Beggs filed.
04/25/2014		MOTION (P#259) allowed (Kinder, J.).
04/25/2014		Trial continued before (Kinder, J.). The 17th juror seated #17 excused from panel; proceeding with 16 jurors. Jury in, sworn, indictments read-pre charge to jury 9:58-10:12; Commonwealth makes opening 10:12-11:00; Deft. makes opening 11:00-11:13; Court adjourned 3:32
04/28/2014		Trial continued before (Kinder, J.).
04/28/2014	262	Defendant's Rule 17/Lampron motion for additional SBCC/Cashman mental health records, with affidavit in support thereof filed.
04/28/2014	263	Stipulation for witness immunity regarding Bryan Johnson filed.
04/28/2014		Court adjourned 4:00
04/29/2014		Trial continued before (Kinder, J.).
04/29/2014		Commonwealth's motion in limine to admit the defendant's pre trial testimony Denied for reasons articulated on the record today (Kinder, J.).
04/29/2014		Trial continued before (Kinder, J.). Court adjourned 3:44
04/30/2014		MOTION (P#206) denied for reasons articulated on the record (Kinder, J.).
04/30/2014		MOTION (P#214) For the reasons stated on the record, Allowed as to items 2, 3 & 4; Denied as to item 1 (Kinder, J.).
04/30/2014		MOTION (P#262) allowed after hearing (Kinder, J.).
04/30/2014	264	Order for production of all mental health records related to Jeffery Cashman entered (Kinder, J.). Copy FAXED to Attorney Victor Kaufman
04/30/2014		Trial continued before (Kinder, J.). Court adjourned 4:00
04/30/2014	265	Stipulation for witness immunity regarding Rose Dawson filed.
04/30/2014	266	Defendant's motion in limine regarding the introduction of any and all testimony regarding alleged statements to them by the defendant filed.
05/01/2014		Trial continued before (Kinder, J.). Court adjourned 4:00
05/01/2014		#266A-Defendant's motion in limine re: photo of arm filed.
05/02/2014		No Trial today. Judge's conference
05/02/2014	267	Order for production of Massachusetts Partnership for Correctional Healthcare, LLC records regarding Jeffery Cashman entered (Kinder, J.). Copy FAXED to Atty. Victor Koufman
05/02/2014	268	Order Allowing Access to Privileged Documents for defense counsel regarding MPCH records entered (Kinder, J.).
05/05/2014		Trial continued before (Kinder, J.) Court adjourned 3:15
05/05/2014		Deft's motion in limine re: arm, denied (Kinder, J.).



BERKSHIRE COUNTY

Docket Report

05/05/2014		Records (Impounded) received from Massachusetts Partnership for Correctional Healthcare relative to Jeffrey Cashman. Records were delivered directly to Atty. Frank who provided copies to the Court and to the Commonwealth
05/05/2014	275	Defendant 's EX PARTE Motion for funds filed and allowed-not to exceed amount requested without further order of the court (Kinder, J.)
05/05/2014	276	Defendant 's Motion in limine to certain statements of Adam Hall filed-Allowed as to use of racial epithet, otherwise denied for reasons stated on the record (KINDER, j.)
05/06/2014		Trial continued before (Kinder, J.).
05/06/2014	277	Defendant 's Motion in limine to exclude testimony about condition of Veiovis' house filed-dnied for reasons stated on the record (Kinder, J)
05/07/2014	278	Defendant 's Motion in limine to not introduce or otherwise adduce certain testimony of Jeffery Cashman filed. 1)-Comm will offer only defendant's note; 2) Allowed; 3) Denied; 4) Denied (Kinder, J.)
05/07/2014	281	Defendant 's Motion to allow him to introduce Medical/Mental Health documents relative to Jeffery Cashman filed. Deferred. the defendant does not offer (Kinder, J.)
05/07/2014	279	Defendant 's Motion in limine to not introduce or adduce certain testimony of Jethro Kempton filed.
05/07/2014	280	Defendant 's Motion in limine regarding testimony of Jason Lemieux filed.-Witness Lemieux will be permitted to testify regarding statements the defendant made to him about the conduct alleged in this case. He will also be permitted to testify regarding the defendant's admission to membership in the Aryan Brotherhood, as I have determined that such membership is probative of his relationship with this and other witnesses and the probative value outweighs the prejudicial effect. Any testimony regarding defendant's intent to to harm to others is not admissible on direct but may be admissible on redirect should the defendant challenge Lemieux's motivation for testifying. With these exceptions the motion is Allowed (Kinder, J.)
05/07/2014		TRIAL ACTIVITY:
		Trial continued before (Kinder, J.)
05/08/2014	282	Request for Jury instructions filed by Prosecutor Commonwealth
05/08/2014		TRIAL ACTIVITY:
		Trial continued before (Kinder, J.)
05/09/2014		TRIAL ACTIVITY:
		Trial continued before (Kinder, J.)
		Commonwealth rests 2:49 PM
05/09/2014	283	Defendant 's Motion for required finding of not guilty-venue and jurisdiction filed and Denied (Kinder, J.)



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

05/09/2014	284	Defendant 's Motion for required finding of not guilty filed and denied (Kinder, J.)
05/09/2014		TRIAL ACTIVITY: Defendant rests 3:35 PM; no rebuttal; evidence closed
05/09/2014	285	Request for Jury Instructions regarding the number of witnesses; witness protection; Aryan Brothers; omissions in police investigations; regarding plea agreements with witnesses; covering up the crime filed. Applies To: Chalue, David T (Defendant)
05/12/2014		TRIAL ACTIVITY: Trial continued before (Kinder, J.) charge conference held; defendant renewed his motion for required finding of not guilty-denied (Kinder, J.)
05/12/2014	286	Defendant 's Motion for jury instructions-good faith mistake filed. The Court will give this instruction-(Kinder, J.)
05/12/2014	287	Objection to to Instruction on Murder in the first degree filed. filed by David T Chalue Applies To: Frank, Esq., Donald W (Attorney) on behalf of Chalue, David T (Defendant)
05/12/2014		TRIAL ACTIVITY: Final arguments heard-Deft. 10:06-11:02; Comm 11:02-11:45; Court appoints juror #49 foreman; Jury instructions held 12:14-1:14 Jurors #13, 9, 4 and 2 withdrawn as alternates; Officers sworn with jury. Jury began deliberating 1:17; at 2:17 counsel present in court Comm and Deft satisfied with the exhibits and verdict slips; in court 4:20-received 2 notes from the jury; jury released for the day 4:25;
05/13/2014		TRIAL ACTIVITY: In court 9:08; jury in 9:11-inquiry made-no issues-resumed deliberations 9:13; jury question in court 12:20-the court wrote response on the note and returned it to the jury; note from jury 3:34-they want to leave-won't reach a verdict today, will need tomorrow; jury released for the day at 4:10;
05/14/2014		TRIAL ACTIVITY: jury resumed deliberations 9:07 am; jury released for the day 4:25 pm
05/14/2014	288	Defendant 's EX PARTE Motion for funds with affidavit in support thereof filed and allowed (Kinder, J.) Applies To: Frank, Esq., Donald W (Attorney) on behalf of Chalue, David T (Defendant)



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

05/14/2014	289	<p>Witness list</p> <p>filed.</p> <p>Applies To: Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Frank, Esq., Donald W (Attorney) on behalf of Chalue, David T (Defendant)</p>
05/14/2014	290	<p>List of exhibits</p> <p>filed.</p> <p>Applies To: Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Frank, Esq., Donald W (Attorney) on behalf of Chalue, David T (Defendant)</p>
05/15/2014		<p>TRIAL ACTIVITY:</p> <p>jury resumes deliberations 9:10; jury question 2:00 pm; 2:50 pm-jury in court-jury polled- juror #1 responded; jury out; deft. moved orally for a mistrial-Denied (Kinder J.) Jury resumed deliberations and concludes at 6:10 pm</p>
05/16/2014		<p>TRIAL ACTIVITY:</p> <p>Trial continued before (Kinider, J.) Deft. renewed motion for a mistrial-Denied (Kinder, J.) jury resumed deliberations 9:23 am; 2:20 pm verdicts;</p>
05/16/2014	291	<p>TRIAL ACTIVITY:</p> <p>Verdict of Guilty of Murder in the first degree as to Count 10 by reason of deliberate premeditation and extreme atrocity or cruelty returned affirmed and filed.</p>
05/16/2014	292	<p>TRIAL ACTIVITY:</p> <p>Verdict of guilty of Murder in the first degree as to Count 11 by reason of deliberate premeditation and extreme atrocity or cruelty returned affirmed and filed.</p>
05/16/2014	293	<p>TRIAL ACTIVITY:</p> <p>Verdict of guilty of Murder in the first degree as to Count 12 by reason of deliberate premeditation and extreme atrocity or cruelty returned affirmed and filed.</p>
05/16/2014	294	<p>TRIAL ACTIVITY:</p> <p>Verdict of Guilty as to Count 13 returned affirmed and filed.</p>
05/16/2014	295	<p>TRIAL ACTIVITY:</p> <p>Verdict of Guilty as to Count 14 returned affirmed and filed.</p>
05/16/2014	296	<p>TRIAL ACTIVITY:</p> <p>Verdict of Guilty as to Count 15 returned affirmed and filed.</p>



BERKSHIRE COUNTY

Docket Report

05/16/2014	297	TRIAL ACTIVITY: Verdict of Guilty as to Count 16 returned affirmed and filed.
05/16/2014	298	TRIAL ACTIVITY: Verdict of Gulty as to Count 17 returned affirmed and filed.
05/16/2014	299	TRIAL ACTIVITY: Verdict of Guilty as to Count 18 returned affirmed and filed.Bail revoked; deft held without bail pending sentencing on 5/19 at 2:00 PM (Kinder, J.)
05/16/2014		Disp for statistical purposes
05/19/2014		TRIAL ACTIVITY: Sentences imposed 2:08 am-On Count 10-Life, MCI Cedar Junction; On Count 11-Life MCI Cedar Junction to be served on and after the sentence imposed on Count 10; On Count 12-Life, MCI Cedar Junction to be served on and after the sentence imposed on Count 12; On Counts 13 & 16-8 to 10 years to be served concurrently with the sentence imposed on Count 10; On Counts 14 & 17-8 to 10 years to be served concurrently with the sentence imposed on Count 11; On Counts 15 & 18-8 to 10 years to be served concurrently with the sentence imposed on Count 12; deft. to receive credit of 983 days; deft. assessed \$90.00 v/w fee; (Kinder, J.) deft. advised of appellate rights
05/23/2014	300	Notice of appeal filed. Applies To: Frank, Esq., Donald W (Attorney) on behalf of Chalue, David T (Defendant)
06/09/2014	301	General correspondence regarding ORIGINAL mittimus as to Counts 10 through 18 returned and filed.
06/13/2014		Financial Note: \$90.00 v/w fee received.
11/05/2014	269	Appearance entered On this date Andrew Scott Crouch, Esq. added as Appointed - Indigent Defendant for Defendant David T Chalue Appointment made for the purpose of Appellate action by Judge Hon. John A Agostini
12/22/2014		Notice to Prepare Transcript Order amended by striking April 12 and inserting April 14, 2014, (Kinder, J). Certified copy to counsel and Court Reporter, Alicia Cayode Kyles.
02/29/2016	270	Defendant 's Motion to compel production of trial transcript, assembly of record, and docketing of case in Supreme Judicial Court filed.
02/29/2016	271	Affidavit of Attorney Andrew S. Crouch filed.
02/29/2016	272	David T Chalue's Memorandum filed.



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

03/01/2016		Attorney appearance On this date Bonnie G Allen, Esq. dismissed/withdrawn as Private Counsel for Defendant David T Chalue
03/01/2016		Attorney appearance On this date Donald W Frank, Esq. dismissed/withdrawn as Appointed - Indigent Defendant for Defendant David T Chalue
03/22/2016	273	Defendant 's Motion for transcripton of hearings filed.
03/23/2016	274	Court Reporter Sara Adams is hereby notified to prepare one copy of the transcript of the evidence of 05/19/2014 09:00 AM Hearing for Sentence Imposition Also Ordered: Motions on David T. Chalue case heard before Judge Kinder sitting on the Adam Lee Hall trial held on 1/24/14 (1176CR139) P.M. session
03/24/2016		General correspondence regarding Letter with completed order for transcript form with (3) cd discs for motion hearings held on 3/7/12; 7/12/12; and 9/20/12 before (Agostini, J) for appeal on javs recordings issued by mail to OTS@Boston, MA for transcription (ds)
04/08/2016		Transcript of motion hearings held on 3/7/12, 7/12/12 and 9/20/12 received from OTS. Copy to Attorney Crouch.
04/08/2016		Transcript of motion to suppress hearings held on 10/11/13, 10/28/13 and 11/21/13 received from A. Kyles, OCR. Copy to Attorney Crouch.
06/07/2016		Transcript of sentencing proceedings held on 5/19/2014 received from S. Adams. Copy to Attorney Crouch.
12/15/2017	302	Appeal: notice of assembly of record sent to Counsel Applies To: Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)
12/15/2017	303	Appeal: Statement of the Case on Appeal (Cover Sheet). Applies To: Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)
12/15/2017	304	Notice to Clerk of the Supreme Judicial Court of Assembly of Record Applies To: Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)
10/15/2018	305	Notice of docket entry received from Supreme Judicial Court On October 12, 2018-ORDER: Motion for funds to travel is remanded to Berkshire Superior Court Applies To: Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)



**COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report**

11/06/2018		<p>Endorsement on Motion for funds to travel to meet with the defendant, Agostini (#305.0): Other action taken Upon referral to Judge Agostini by the Regional Administrative Justice-the motion is Allowed (Agostini, J.)</p> <p>Judge: Agostini, Hon. John A Applies To: Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)</p>	
11/06/2018		<p>The following form was generated: A Clerk's Notice was generated and sent to: Attorney: Donald W Frank, Esq. Attorney: Andrew Scott Crouch, Esq. Attorney: Bonnie G Allen, Esq. Attorney: David F Capeless, Esq. Holding Institution: Hampden County House of Correction</p>	
07/31/2019	306	<p>General correspondence regarding Received a request from Attorney Andrew Crouch Appeals Court Attorney for copies of the following documents: #209, 211, 219, 224, 250, 251, 266, 285, 287 and 300 along with copies of exhibits #, 88, 174, 319-320, 326-330 and 348-349.</p>	
10/18/2019	307	<p>Court received Stipulation of Counsel pursuant to M.R.App. P. 8(e)(1) to include Exhibit 1-The transcript of the grand jury proceedings consisting of seven days of testimony, on various dates between September 2011 and August 2012, contained in seven volumes numbered I through VII. The dates of the proceedings are 9/30, 10/05, 10/06, 11/02, 11/03 of 2011; and 8/6 & 8/7 2012 filed. related to appeal</p> <p>Applies To: Chalue, David T (Defendant); Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)</p>	
10/24/2019		<p>Endorsement on Stipulation pursuant to M.R. App. Pro 8(e)(1) to modify the record on appeal to add Grand Jury minutes, (#317.0): ALLOWED on 10/21/2019 (Callan, J.)</p> <p>Judge: Callan, Hon. Michael K Applies To: Chalue, David T (Defendant); Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant)</p>	Callan
10/24/2019		<p>The following form was generated: A Clerk's Notice was generated and sent to: Attorney: Donald W Frank, Esq. Attorney: Andrew Scott Crouch, Esq. Attorney: Bonnie G Allen, Esq. Attorney: David F Capeless, Esq. Holding Institution: Hampden County House of Correction</p>	
10/24/2019		<p>Attorney appearance On this date Joseph A Pieropan, Esq. added for Prosecutor Commonwealth</p>	



COMMONWEALTH OF MASSACHUSETTS
BERKSHIRE COUNTY
Docket Report

10/24/2019		<p>Revised copies of docket entries sent to Supreme Judicial Court along with Stipulation of Counsel approved by the Court to supplement the record on appeal by adding Grand Jury Minutes, along with CD containing referenced grand jury proceedings (DSC Clerk)</p> <p>Applies To: Chalue, David T (Defendant); Capeless, Esq., David F (Attorney) on behalf of Commonwealth (Prosecutor); Crouch, Esq., Andrew Scott (Attorney) on behalf of Chalue, David T (Defendant); Pieropan, Esq., Joseph A (Attorney) on behalf of Commonwealth (Prosecutor)</p>	
03/29/2021	309	<p>Judgment after Rescript received. Affirmed.</p> <p>Notice of Decision from the Supreme Judicial Court for the Commonwealth. For the reasons stated in the opinion, we conclude that the verdicts of murder in the first degree are consonant with justice, and we decline to exercise our authority under G. L. Ch. 278, Sec. 33E, to order a new trial or direct the entry of verdicts of a lesser degree or guilt. Judgments affirmed. (Francis V. Kenneally, Clerk)</p>	Unassigned
03/29/2021	308	<p>Notice of docket entry received from Supreme Judicial Court</p> <p>Notice of Decision, FILED.</p> <p>Applies To: Chalue, David T (Defendant)</p>	